IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 23763 of 2004

Between:

1 Smt.Shakuntala, w/o Ravindernathlal Srivastava,
R/o 19-1-645, Doodh Bowly, Hyderabad.
2 Anitha Srivastava, d/o Ravindranathlal Srivastava,
rep., by her guardian natural mother Shakuntala Srivastava

..... PETITIONER(S)

AND

1 Dwarakanathlal Srivastava, s/o Sakatlal Srivastava,
H.No.2-39-6, Adjacent to Vinayaka Chit Fund, Perajupet,

Maddilavari Street, Kakinada (or) Junior Clerk
MCH Office, Eluru, West Godavari District.
2 Murali Srivastava, s/o Sakatlal Srivastava,
Eenadu Press, Nellore, A.P., Occ.Proof Reader
3 State of AP through Director General of Police. Hyderabad
4 Superintendent of Police, East Godavari, Kakinada

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of HABEAS CORPUS directing the respondents herein to produce my husband Ravindernathlal, s/o Sakatlal Srivastava before this Hon'ble Court in the interest of justice

Counsel for the Petitioner: MS.S.VANI

Counsel for the Respondents 3 and 4.: THE ADVOCATE GENERAL

Counsel for the Respondents 1&2:

The Court at the admission stage made the following :

Order: (Per Sri BN.J)

This Habeas Corpus petition has been filed for production of the son of Sakatlal Srivastava viz., Ravindernathlal Srivastava. It is submitted that the said person is the husband of the 1st petitioner. She has already filed a maintenance application against him, which has been ordered. In the execution, he has not appeared. The Executing Court has already issued warrant of arrest against him on 22.8.2003. Since a warrant is already pending for production of S.Ravindernathlal, we do not think that any orders are necessary to be passed in this Habeas Corpus petition. There is also no allegation that the husband of the 1st petitioner is in wrongful confinement.

However, the Additional Family Court, Hyderabad is directed to take all steps available in law to get the warrant issued by it executed.

The Writ petition is accordingly dismissed.

(BILAL NAZKI,J)

Dated 21..12..2004

(DR.G.YETHIRAJULU,J)

msv.

To,

1 The Director General of Police, State of AP. Hyderabad
2 The Superintendent of Police, East Godavari district at Kakinada.

3. 2 ccs to the Advocate General, High Court of A.P. Hyd (OUT)

4. 2 CD copies.